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October 23, 2002

Assistant Commissioner for Patents  
Washington, DC 20231

Re: Amendment to Comply with Sequence Listing Rules  
Appl. No.: 09/910,757  
Filed: July 24, 2001  
Title: **The Translation Enhancer Element of the  
Human Amyloid Precursor Protein Gene**  
Inventor(s): Rogers, Jack  
Atty. Dkt.: 7570/73233 (81994/282402)

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OCT 25 2002

TECH CENTER 1600/2900

Dear Sir:

The following documents are being forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Amendment to Comply with Sequence Listing Rules;
3. A paper copy of the Sequence Listing;
4. A 3.5 inch diskette containing a computer readable copy of the Sequence Listing;
5. Change of Address Notice; and

Assistant Commissioner for Patents  
October 23, 2002  
Page 2

6. One return postcard.

Applicant does not believe that any fees are due for the filing of these documents. However, the Commissioner is hereby authorized to charge any fee deficiency to our Deposit Account No. 06-1135 under Order No. 7570/73233.

It is respectfully requested that the enclosed postcard be stamped with the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

Very truly yours,

FITCH, EVEN, TABIN & FLANNERY

A handwritten signature in black ink that reads "Michael A. Sanzo". The signature is written in a cursive, flowing style.

Michael A. Sanzo  
Reg. No. 36,912  
Attorney for Applicant

MAS:ct  
Enclosures

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

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**Applicant Must Provide:**

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- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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